



UNITED STATES PATENT AND TRADEMARK OFFICE

cen

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,028	08/10/2005	Georges Zagdoun	264641US6PCT	8400
22850	7590	04/20/2007		
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			EXAMINER NGO, HUNG V	
			ART UNIT	PAPER NUMBER
			2831	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/20/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/20/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

Office Action Summary	Application No. 10/523,028	Applicant(s) ZAGDOUN, GEORGES	
	Examiner Hung V. Ngo	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 22-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 22-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Claims 22-25, 28-37, 39-41 are objected to because of the following informalities:

Claims 22, line 3, "and including, or intended to be joined to the sheets" is unclear.

Claim 22, lines 3, 6, 7, 8 "or" is confusing

Claim 22, line 8, "in respect of the structure" is unclear.

Claim 22, line 9, "for light of wavelength" is unclear.

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. See MPEP § 2173.05(c). In the present instance, claim 23 recites the broad recitation 800-1250 nm, and claim 22 also recites 590 nm which is the narrower statement of the range/limitation.

Claim 23, line 2 "or" is confusing

Claim 24, line 3, "or" is confusing

Claim 24, line 3, "through the structure" is unclear

Claim 25, line 2, "or" is confusing

Claim 25, line 2, "through the structure" is unclear

Art Unit: 2831

Claim 25, line 4, "the other thermoplastic, sheet" lacks antecedent basis.

Claim 28, "lines 2, 3, "the covering sheet" lacks antecedent basis.

Claim 28, line 3 "the thermoplastic first sheet" lacks antecedent basis.

Claim 29, lines 1, 2 are unclear.

Claim 30, lines 2, 3, "a support sheet that is formed by the covering sheet" is unclear.

Claim 31, line 2, "a support sheet that is formed from a complementary plastic sheet" is unclear.

Claim 32, line 2 when it does not constitute a support sheet" is unclear.

Claim 33, lines 1, 2, "joined to a singled transparent substrate" is unclear.

Claim 34, line 2, "laminated between two transparent substrates" is unclear.

Claims 35, 36, 37, 40 are not clearly understood.

Claims 39, 40 "the glass substrate" lack antecedent basis.

Claim 41, "the thermoplastic first sheet" lack antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 22-42 are rejected under 35 U.S.C. 102(e) as being anticipated by Koike et al (US 6,965,191).

Re claim 22, Koike et al disclose a n optical filtering/electromagnetic screening structure to be joined to at least one transparent substrate, the structure comprising: at least first and second plastic sheets (polymer film 20 (abstract), transparent substrate 63 (col. 29, line 34)(col. 45, lines 23-25) and including, a conducting electromagnetic screening element (10), wherein at least one of the first and second sheets is made of a thermoplastic (polyurethane)(col. 9, line 56), the other of the first and second sheets constitutes a sheet for covering the conducting element or the thermoplastic sheet, and at least one of the first and second sheets incorporate at least one mineral pigment or at least one organic dye to produce an orange filter for light of wavelength centered on 590 nm (col. 5, line 44).

Re claim 23, wherein at least one of the first and second sheets incorporates at least one mineral pigment or at least one organic dye to form an infrared filter in the 800 to 1250 nm wavelength range (col. 57, line 65).

Re claim 24, a structure according to Claim 23, wherein one of the first and second sheets is neutral while the other of the first and second sheets includes at least two pigments or dyes that provide, through the structure, the orange filter (col. 20, lines 5-10) and the infrared filter (col. 57, line 65), respectively.

Re claim 25, wherein the thermoplastic sheet includes a pigment or a dye that provides, through the structure, the orange filter or the infrared filter and the covering sheet includes a pigment or dye that provides the orange filter (col. 20, lines 5-10) or the infrared filter (col. 57, line 65) that the other, thermoplastic, sheet does not provide.

re claim 26, wherein the conducting element (12) is formed from a metal wire gauze joined between the first and second sheets (Fig 3).

re Claim 27, wherein the conducting element is formed from a metal wire mesh (12) deposited on a support sheet (11) whose composition is based on one of following materials: polycarbonate, polymethyl (meth)acrylate, polyethylene terephthalate, polyethersulphone, polyetherketone, and acrylonitrile-styrene copolymer (col. 58, lines 25-30).

re claim 28, wherein the support sheet for the conducting element constitutes the covering sheet, the conducting element being placed between the thermoplastic first sheet and the covering sheet (Fig 3).

re claim 29, wherein the covering sheet bearing the conducting element is coated on an opposite side from the conducting element (Fig 3) with a protective film made of polyethylene terephthalate (PET), or of polyvinyl chloride (PVC), or of polypropylene, or

of high-density polyethylene, with a thickness of less than or equal to 60 microns (col. 58, lines 25-30)

Re claim 30, wherein the conducting element is formed from a metal layer, deposited on a support sheet that is formed by the covering sheet, the element being placed between the covering sheet and the thermoplastic first sheet. (Fig 3)

re claim 31, wherein the support sheet (11) for the conducting element is formed from a complementary plastic sheet that is laminated between the thermoplastic first sheet and the covering sheet (Fig 3).

re claim 32, wherein the thermoplastic first sheet and the covering sheet when it does not constitute a support sheet for the conducting element are made of polyvinyl butyral, or of polyurethane, or of ethylene-vinyl acetate (col. 9, line 56).

re Claim 33, joined to a single transparent substrate, the thermoplastic first sheet being joined to the substrate (Fig 3).

re Claim 34, laminated between two transparent substrates, the thermoplastic sheet and the covering sheet being joined to each of the substrates, respectively (Fig 3).

Claim 35, joined to at least one transparent substrate, wherein the transparent substrate has, on its face that faces the thermoplastic sheet, a metal layer to form the conducting element when the conducting element is joined to the structure (Fig 3).

Re Claim 36, providing, in respect of a structure/substrate assembly, an infrared filter with a corresponding light transmission not exceeding 22%, and an orange filter with a corresponding light transmission of between 20% and 40%, the structure/substrate

Art Unit: 2831

assembly having a light transmission coefficient in the visible of between 40% and 60%, with a less than 3% purity (col. 56, lines 35-45).

re Claim 37, wherein the infrared filter ensures transmission at 815 nm of at most 22%, transmission at 870 nm of at most 18%, and transmission between 900 and 1250 nm of at most 12% (col. 56, lines 35-45).

re Claim 38, A display screen (00), having on a front face a structure (Fig 3)

re Claim 39, wherein at least one of the glass substrates is made of toughened glass (col. 58, line 52).

Claim 40, wherein at least one of the glass substrates has an antireflection coating on an opposite face from the structure (abstract).

Claim 41 (Previously Presented): A screen according to Claim 38, wherein the covering sheet has an antireflection coating on an opposite face from the thermoplastic first sheet (abstract).

Re claim 42, wherein the structure is adhesively bonded directly to the front face of the screen (Fig 3).

Response to Arguments

Applicant's arguments with respect to claims 22-42 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung V. Ngo whose telephone number is (571) 272-1979. The examiner can normally be reached on Monday to Thursday 8:30-6:00.

Art Unit: 2831

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean A. Reichard can be reached on (571) 272-2800 EXT 31. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HVN
04-12-07

Hung V Ngo

**HUNG V. NGO
PRIMARY EXAMINER**